

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCH AUTHORITY
(SUPPLEMENTARY SHEET)**

International application No.
PCT/DE2004/000722

JC20 Rec'd PCT/PTO 11 OCT 2009

Re item V.

1 Reference is made to the following documents:

- D1: WO 98/12757 A (SIEMENS AKTIENGESELLSCHAFT; HOEHN, KLAUS;
DEBRAY, ALEXANDRA; SCHLOTTER) March 26, 1998 (1998-03-26)
D2: EP-A-1 074 603 (PATENT-TREUHAND-GESELLSCHAFT FUER
ELEKTRISCHE GLUEHLAMPEN MBH) February 7, 2001 (2001-02-07)

2 INDEPENDENT CLAIM

Document D1, which is regarded as the closest prior art, discloses a luminescence-conversion LED, comprising luminescence-conversion pigments and the use of these pigments in a casting composition.

The subject matter of the independent claim 1 differs from D1 in that nanophosphors of a specific particle size are used.

A technical effect associated with this difference was not stated. Therefore, the object to be achieved is regarded as comprising that of producing alternative luminescence-conversion LEDs.

However, it is obvious to a person skilled in the art taking D1 as a basis and searching for further luminescence-conversion LEDs to use phosphors other than those mentioned in D1. For example, oxidic nanocrystals in the size range stated in claim 1 are described in the prior art (see claim 24 in document D2, cited by the applicant, which describes the use of nanocrystals in lighting devices).

Therefore, the present application does not meet the requirements of Article 33(1) PCT, because the subject matter of claim 1 is not based on an inventive step as specified by Article 33(3) PCT.

3 DEPENDENT CLAIMS 2-13

Claims 2-13 do not contain any features which in combination with the features of any claim to which they relate meet the requirements of the PCT with respect to an inventive step.

4 INDEPENDENT CLAIMS 2-13

Claims 2-13 do not contain any features which in combination with the features of any claim to which they relate meet the requirements of the PCT with respect to an inventive step.

5 INDEPENDENT CLAIMS 14, 15 AND 16

Although claims 14, 15 and 16 are formally independent, they contain all the features of the independent claim 1. They do not contain any features which in combination with the features of any claim to which they relate meet the requirements of the PCT with respect to an inventive step.